

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

FREYLING VIZCAINO,

Defendant.

ORDER

S1 20 Cr. 241 (RMB)

On March 9, 2021, the Court held a status conference in this case to address various matters including defendant Freyling Vizcaino's detention status; the pending motion by the Government for forfeiture of the defendant's bail bond; and the pending request for acceptance of the defendant's guilty plea. For the reasons set forth on the record at that conference, the Court hereby makes the following findings and issues the following orders:

1. The Court hereby finds that, in or about December 2020, the defendant cut off his electronic monitoring device and absconded from Pretrial Services supervision. On February 24, 2021, the defendant failed to appear in Court as required. On March 1, 2021, the defendant surrendered to the United States Marshals Service. Accordingly, it is hereby ORDERED that the defendant's pretrial release is revoked, and the defendant is ordered detained pursuant to 18 U.S.C. § 3148(b).

2. Pursuant to Federal Rule of Civil Procedure 46(f), it is hereby ORDERED that the \$50,000 personal recognizance bond executed by the defendant and sureties Rafaelina M. Quinones and Jasira America Cleto be and hereby is FORFEITED. The Court will enter separate judgment in the amount of \$50,000 against the defendant. In light of the Government's withdrawal of its request for entry of judgment as against the two sureties, it is further ORDERED that Rafaelina M. Quinones and Jasira America Cleto are hereby discharged from their bond

obligations, and judgment will not be entered against them.

3. The Court has reviewed the transcript of the guilty plea allocution held on December 1, 2020 before Magistrate Judge Katharine H. Parker. The Court hereby finds that the defendant entered the guilty plea knowingly and voluntarily and that there was a factual basis for the guilty plea. Accordingly, it is hereby ORDERED that the defendant's guilty plea is accepted.

4. Sentencing is scheduled for June 15, 2021 at 11:00 a.m. The defendant's sentencing submission is due by June 1, 2021. The Government's sentencing submission is due by June 8, 2021.

SO ORDERED.

Dated: New York, New York
March 9, 2021

Handwritten signature of Richard M. Berman in black ink.

HONORABLE RICHARD M. BERMAN
UNITED STATES DISTRICT JUDGE